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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,928	03/30/2001	Thomas N. Turba	RA 5390 (33012/320/101)	8178
27516	7590	10/21/2005	EXAMINER	
UNISYS CORPORATION MS 4773 PO BOX 64942 ST. PAUL, MN 55164-0942			NGUYEN, MERILYN P	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 10/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,928

Applicant(s)

TURBA, THOMAS N.

Examiner

Merilyn P Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> . |

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DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/22/2005 has been entered.

2. In response to the communication dated 09/22/2005, claims 1-20 are pending in this office action.

Claim Objections

3. Claim 1 is objected to because of the following informalities: the language of newly amended limitation of “*each of which* having its own encapsulated environment permitting each of said steps to be edited independently of *any other step each of* said steps....said plurality of discrete and independent subtables” is vague because there is no separation between each complete sentence (Emphasis added). Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 1-5 and 11-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, line 16, there is insufficient antecedent basis for “each of which”. It is unclear whether “each of which” recites each of sub tables or each of defined steps. At line 22-23, there is insufficient antecedent basis for “said plurality of discrete and independent sub tables”.

Regarding claim 1, lines 21-23, the recitation of “Data Wizard presents a plurality of valid steps as choices for addition at each position in said plurality of discrete and independent sub tables” is vague and indefinite because it is not clear why and how a plurality of valid steps is added at each position in sub tables.

Regarding claims 4, line 4 and claim 8, line 3, there is insufficient antecedent basis for “said ordered sequence”.

Regarding claim 11, line 23, there is insufficient antecedent basis for “said chosen one”. It’s unclear whether “said chosen one” is modified one.

Dependent claims 2-5 and 12-15 inherit same deficiency.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Glaser (US 6,058,264).

Regarding claim 1, Glaser discloses in a data processing system (Figs. 1-4, Glaser et al.) having a user terminal operated by a user (Client Computer 102, Fig. 1, Glaser et al.), the improvement comprising:

- a data base management system (RDBMS 126, Fig. 1) having a data base with executes an ordered sequence of command language script to modify data within said data base (Col. 4, lines 21-35) coupled to said user terminal via a publicly accessible digital data communication network (Network Server 110, Fig. 1);
- wherein said user terminal builds and stores within said database for future use a service specifying a plurality of database management functions for utilizing a data base management system to modify data from said database (Col. See col. 9, lines 14-26); and
- a Data Wizard (Extender Smart Guide 422, Fig. 4) which permits said user to build said service as a table defined by an ordered sequence of discrete and independent sub tables which define steps (See col. 6, lines 1-12, and col. 9, lines 20-31) each of which having its own encapsulated environment permitting each of said steps to be edited independently of any other step (See col. 8, lines 14-16 and lines 30-54 and col. 9, lines 36-40, wherein each of said

steps is edited independently of any other steps as the user can always go back and make modifications, See Figs. 7A-7G) each of said steps corresponding to a different portion of said ordered sequence of command language script (See col. 8, lines 64-67 and col. 9, lines 20-31) and wherein said Data Wizard presents a plurality of valid steps as choices (See Fig. 7F, for example, “add another” button provide another step as user option) for addition at each position in said plurality of discrete and independent sub tables (Col. 8, lines 7-10).

Regarding claim 6, Glaser discloses an apparatus comprising:

- a. a user terminal (Client Computer 102, Fig. 1, Glaser et al.);
- b. a database management system (RDBMS 126, Fig. 1) which executes an ordered sequence of command language script to modify data within a data base (Col. 4, lines 21-35) responsively coupled to said user terminal via a publicly accessible digital data communication network (Network Server 110, Fig. 1); and
- c. a Data Wizard (Extender Smart Guide 422, Fig. 4) responsively coupled to said user terminal and said data base management system which permits a user to build for future use a service to perform at least one data base management function from said user terminal in accordance with an order sequence of discrete and independent steps (See Fig. 7A-7G) corresponding to said ordered sequence of command language script to modify data within said data base and which presents a plurality of valid steps as choices for addition to said ordered sequence

of discrete and independent steps (Col. 8, lines 7-10) wherein each of said ordered sequence of discrete and independent steps exists within its own encapsulated environment such that each of said ordered sequence of discrete and independent steps may be user modified independently of others of said ordered sequence of discrete and independent steps (See col. 8, lines 14-16 and lines 30-54 and col. 9, lines 36-40, wherein each of said steps is edited independently of any other steps as the user can always go back and make modifications, See Figs. 7A-7G).

Regarding claims 2 and 7, Glaser discloses said publicly accessible digital data communication network further comprises the Internet (See col. 3, lines 67 to col. 4, lines 1, Glaser at el.).

Regarding claims 3, 9, and 13-14, Glaser discloses said user terminal further comprises an industry compatible personal computer (Client Computer 102, Fig. 1, Glaser at el.) having a commercially available browser (Browser 108, Fig. 1, Glaser at el.).

Regarding claims 4, 8, and 12, Glaser inherently discloses said Data Wizard automatically inhibits presentation of any step which would not be valid for the corresponding position within said ordered sequence as when the user want to add or delete or update attributes (Fig. 7C for example) the following ordered sequence step such as the one in Fig. 7D would be automatically adjusted accordingly. For example, when the add button 714 or the update button 718 are selected, the next smart guide window 448 would display appropriate step of defining

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attributes based on the added or updated attribute. By doing so, it automatically inhibits presentation of any next step that being not corresponded to the added or updated attributes.

Regarding claims 5, 10, and 15, Glaser inherently teaches a commercial data base management system (See col. 3, lines 49-56, Glaser at el., wherein Glaser system is primarily targeted to enterprise customers. Since the system targets on enterprise customers, the system relating to economic business thus database management system of Glaser is commercially).

Regarding claim 11, Glaser discloses a method of dynamically building a service defined by a table which specifies at least one data based management function as addressed above in claim 1 from a user terminal coupled via a publicly accessible digital data network to a remote data base management system which responds to an ordered sequence of command language script having a component building process (See columns 6-9). Glaser teaches an ordered sequence of steps at Fig. 7A through Fig. 7G. Glaser/Black presents plurality of potential steps within each of the ordered sequence of steps at Fig. 7C and col. 8, lines 5-10, wherein user can select to either adding, deleting, or updating attributes. After chosen the desired attributes, the user click "next" to proceed next one of the order sequence of steps (Fig. 7D, Glaser at el.). This process repeats until user clicks "Finish" to complete the service (768, Fig. 7G, Glass et al.). Glaser discloses modifying a chosen one of said plurality steps (See col. 8, lines 14-16 and lines 30-54 and col. 9, lines 36-40, and Figs. 7A-7G) Glaser further discloses storing said completed service within said remote data base management system for future use (See col. 9, lines 21-26).

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Regarding claim 16, Glaser discloses an apparatus comprising:

a. permitting means for permitting a user to access publicly accessible digital data communication network (See Browser 108, Fig. 1, and col. 3, line 67 to col. 4, line 3);

b. providing means (Database Server 122, Fig. 1) responsively coupled to said permitting means via said publicly accessible digital data communication network for providing data base management services to modify data within a data base (See col. 3, lines 50-56 and col. 4, lines 21-36) in accordance with a service corresponding to an ordered sequence of command language script (Col. 4, lines 21-35);

c. designing means (See col. 7, lines 18-25) responsively coupled to said permitting means and said providing means for designing a service to modify said data within said data base through specification of an ordered plurality of discreet and independent steps (See Figures 7A-7G);

d. presenting means (extender smart guide windows 448, Fig. 4) responsively coupled to said designing means for presenting a plurality of valid potential steps for selection of each of said ordered plurality of discreet and independent steps (See Figures 7A-7G, and col. 7 and col. 8) wherein each of said ordered plurality of discreet and independent steps is encapsulated into its own environment such that said each of said ordered plurality of discreet and independent steps may be modified by a user independently of others of said ordered plurality of discreet and independent steps (See col. 8, lines 14-16 and lines 30-54 and col. 9, lines 36-40, wherein each of said steps is edited

independently of any other steps as the user can always go back and make modifications, See Figs. 7A-7G); and

e. storing means (storage device 124) for storing said service within said data base for future use (See col. 9, lines 21-26).

Regarding claim 17, Glaser discloses inhibiting means for inhibiting presentation of any step which would not be valid for the corresponding position within said ordered sequence (See Col. 8, lines 5-15 and as addressed above in claim 4).

Regarding claim 18, Glaser discloses said publicly accessible digital data communication network further comprises the Internet (See col. 3, lines 67 to col. 4, lines 1, Glaser at el.).

Regarding claim 19, Glaser discloses a commercial data base management system (See col. 3, lines 49-56, Glaser at el., wherein Glaser system is primarily targeted to enterprise customers. Since the system targets on enterprise customers, the system relating to economic business thus database management system of Glaser is commercially).

Regarding claim 20, Glaser discloses said user terminal further comprises an industry standard personal computer (Client Computer 102, Fig. 1, Glaser at el.).

Response to Arguments

6. Applicant's arguments filed on 09/22/2005 with respect to claims 1-20 have been fully considered but they are considered moot in view of the new grounds of rejection.

Applicant argues that Glaser does not teach the amended limitation of each step be encapsulated within its own environment permitting each step to be independently edited/modified using Data Wizard. The examiner respectfully points out that this limitation is recited at col. 8, lines 14-16 and lines 30-54 and col. 9, lines 36-40, wherein each of said steps is edited independently of any other steps as the user can always go back and make modifications, See Figs. 7A-7G.

Applicant states, "Claim 3, 9, and 13-14...further limit the software architecture of the claimed user terminal. In making her rejection, the Examiner cites Glasser, Fig. 1, element 102. Fig. 1 says nothing of the software architecture of Client Computer 102. In fact, Glaser does not define the software architecture of Client Computer 102 anywhere." The examiner respectfully disagrees and points out that this limitation is not claimed. Applicant claims limitation of claim 3, similarly with claims 9 and 13-14, "wherein said user terminal further comprises an industry compatible personal computer having a commercially available browser". As recited above in the rejection section, Glaser discloses Client Computer 102, Fig. 1 having a commercially available browser 108, thus Glaser teaches the claimed limitation.

The Examiner reformulates the rejection of claim 4, 8, 12 and 16. Glaser inherently discloses said Data Wizard automatically inhibits presentation of any step which would not be valid for the corresponding position within said ordered sequence as when the user want to add or delete or update attributes (Fig. 7C for example) the following ordered sequence step such as

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the one in Fig. 7D would be automatically adjusted accordingly. For example, when the add button 714 or the update button 718 are selected, the next smart guide window 448 would display appropriate step of defining attributes based on the added or updated attribute. By doing so, it automatically inhibits presentation of any next step that being not corresponded to the added or updated attributes.

Applicant argues that Glaser does not teach data base management system is a commercially available. The Examiner respectfully disagrees. Col. 3, lines 49-56 of Glaser teaches system is primarily targeted to enterprise customers. Since the system targets on enterprise customers, the system relates to economic activities thus database management system of Glaser is commercially available. One having ordinary skill in the art would have recognized that an enterprise is a commercial or industrial activity or organization. Therefore, database management system of Glaser is commercially available data base management system.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 571-272-4026. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-746-7240 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MN
MN
Oct 15, 2005

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER